

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

SCIELE PHARMA, INC., et al.,)	
)	C.A. No. 09-037 (RBK) (JS)
Plaintiffs,)	(CONSOLIDATED)
)	
v.)	
)	
LUPIN LTD., et al.,)	
)	
Defendants.)	
)	
SHIONOGI INC., et al.,)	
)	
Plaintiffs,)	
)	C.A. NO. 10-135 (RBK) (JS)
v.)	
)	
MYLAN INC., et al.,)	
)	
Defendants.)	
)	

**LUPIN DEFENDANTS’ MOTION TO STAY OR MODIFY ENFORCEMENT
OF THE COURT’S PRELIMINARY INJUNCTION ORDER**

Defendants Lupin Ltd. and Lupin Pharmaceuticals USA (collectively “Lupin”), by and through their undersigned counsel, hereby respectfully move pursuant to under Rule 62(c) of the Federal Rules of Civil Procedure for an order to stay or modify enforcement of the preliminary injunction entered December 6, 2011 (D.I. 280), pending resolution of their appeal to the Federal Circuit Court of Appeals. The grounds for this Motion are more fully set forth in the accompanying Opening Brief filed contemporaneously herewith.

BAYARD P.A.

OF COUNSEL:

Douglass C. Hochstetler
Kelley Drye & Warren LLP
333 West Wacker Drive
Chicago, IL 60606
(312) 857-7070
dhochstetler@kelleydrye.com

Beth D. Jacob
Kelley Drye & Warren LLP
101 Park Avenue
New York, NY 10178
(212) 808-7800
bjacob@kelleydrye.com

Karen A. Confoy
Erica S. Helms
Sterns & Weinroth
50 W. State Street, Ste. 1400
Trenton, NJ 08607-1298

/s/ Stephen B. Brauerman (sb4952)

Richard D. Kirk (rk0922)
Stephen B. Brauerman (sb4952)
222 Delaware Avenue, 9th Floor
P.O. box 25130
Wilmington, DE 19899-5130
(302) 655-5000
rkirk@bayardlaw.com
sbrauerman@bayardlaw.com

*Attorneys for Lupin Ltd. and Lupin
Pharmaceuticals, Inc.*